S.B. Civil Writ Petition No.6996/05
Ravindra Kumar Nagar Vs. SBBJ & Anr.

Date of Order : 16/05/2006

Hon'ble Mr. Justice Ajay Rastogi

Mr. Ajay Tantia for Mr. R.K. Mathur, for petitioner

Instant petition has been filed seeking compassionate appointment which was rejected by the respondents vide order Ann.3 dt.16th August, 2000.

Petitioner's father late Shri B.L. Nagar while serving in the Bank died on 18th July, 1998. Application was filed by the petitioner seeking compassionate appointment on 22nd December, 1998 wherein statement was made with respect to those who are dependent upon the deceased. Petitioner was married even on the date when application was submitted in December, 1998.

Taking into consideration the overall financial status of the family of deceased application seeking compassionate appointment was rejected by the respondents vide order dt.16th August, 2000, which has been challenged after almost 5 years in August, 2005.

On a specific question put to the counsel as to why the present writ petition has been filed after such an inordinate delay and why the writ petition be not dismissed on the ground of laches alone, counsel submits that mercy petition was filed and so also notice of demand for justice served, no relief has been granted.

I am not satisfied with the explanation which has been furnished by the petitioner showing justification for filing of writ petition after such an inordinate delay and writ petition deserves to be dismissed on this

ground alone. Apart from it, the petitioner was married on the date of submitting application and there is no material placed on record that even after his marriage he remained dependent upon his father.

The whole object of granting compassionate employment is thus to enable the family to tide over sudden crisis and to relieve the family from financial destitution, which it faced at the time of death of sole breadwinner.

The authority took decision after taking into consideration overall material and so also financial status of the family of deceased in August, 2000. I do not find any error in the decision taken by the respondents.

Consequently, the writ petition stands dismissed.

[Ajay Rastogi],J.

FRB